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BY-LAWS

— AND —

ORDINANCES

— OF THE —

TOWN OF WOLFVILLE.

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Approved by the Governor-in-Council on the 2nd day of  
September, 1893.

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# BY-LAWS AND ORDINANCES

OF THE

## TOWN OF WOLFVILLE.

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### TOWN COUNCIL.

1. The Town Council shall meet on the first Tuesday in each and every month.
2. Written notices for the monthly meeting and other meetings of the Council, shall be sent to the Mayor and each Councillor and the Recorder twenty-four hours previous to meeting.
3. Emergency meetings may be called by the Mayor or Presiding Councillor when necessary. Such shall state place and time of meeting, and shall be left at the dwelling or place of business of the party notified.
4. The meeting shall stand adjourned to the next day at the same place and hour (not being Sunday or a holiday, in which event it shall stand adjourned to the day following) if within one quarter of an hour from the time appointed for the meeting a quorum shall not appear.

### RULES OF ORDER.

5. At all meetings of the Town Council, except adjourned meetings, as soon as the chair is taken and the meeting opened, the minutes of the previous meeting shall be read by the Clerk, when any mistakes therein may be corrected by

the Council, after which, or in the event of no mistakes being found, they shall be marked approved and signed by the Mayor.

6. Every resolution must be presented in writing, moved and seconded before it can be debated.

7. A motion or resolution moved and seconded can be withdrawn only by leave of the Council.

8. All questions shall be decided by a majority of votes. The Mayor or Presiding Councillor shall have a casting vote, but shall not otherwise vote.

9. The Mayor or Presiding Councillor shall preserve order and decorum, and shall decide all points of order, subject to an appeal to the Council, and when such appeal is demanded by any member the Mayor or Councillor presiding shall forthwith put the matter to the Council on the question, "shall the decision of the chair be sustained?"

10. Every member who speaks in Council shall address the chair standing.

11. The member who introduces a resolution or any debateable motion shall have the privilege of closing the debate thereon.

12. No resolution shall be discussed or voted on at the meeting at which the same is introduced if any member of the Council shall object to such discussion before the same is entered upon, unless notice of such resolution has been given at a previous meeting; but this rule shall not apply to motions in amendments or subsidiary motions.

13. When a question is regularly under debate, no other question or motion shall be entertained until it is decided unless it be:—

1st.—A motion in amendment of the original resolution.

2nd.—A motion to refer the question to a Special Committee.

3rd.—A motion to postpone the question to some future day or time to be named.

4th.—A motion to postpone the question indefinitely.

5th.—A motion that the question be now put.

6th.—A motion to adjourn.

7th.—The previous question.

14. After the division has taken place upon any question or resolution, any member may call for the names on the division and have the same recorded.

15. No debate shall be allowed on any motion of adjournment or upon any motion of the previous question during a debate.

16. Every member shall confine himself to the question under discussion, and shall abstain from all personal reflections and irritating language.

17. Every member present, when a vote is taken, shall vote upon it, unless excused by the Council upon some good ground stated.

18. No member shall leave the room during the transaction of business without the permission of the Mayor or presiding officer.

19. Any member called to order by the Chair shall sit down at once, but may by leave of the Chair afterward rise to explain.

20. The Town Clerk shall, under the direction of the Mayor, make out an arranged list of the business matters which it appears requisite to lay before the Council for their consideration; the list shall be termed "the order of the day," a copy of which shall be laid on the table for the inspection of the members, and another placed in the hands of the Mayor or Presiding Councillor.

¶ 21. The following shall be the order of the day as near as may be, subject, however, to alterations by the Council at any meeting as the exigencies of business may require:—

1st.—Read minutes of previous meeting.

2nd.—Motion to amend minutes.

3rd.—Motion to reconsider or rescind any resolution contained in the minutes, notice of the rescinding or reconsideration of which had been given on the day the resolution passed before adjournment.

4th.—Receiving the reports of any select or standing Committee.

5th.—Receiving petitions.

6th.—Ordering the payment of accounts.

7th.—Discussing resolutions, of which notice had been given on a previous day, in the regular order.

8th.—Reading or discussing the reports of select or standing committees, together with reports of the minutes, if any.

9th.—Discussing petitions.

10th.—Miscellaneous business.

22. Notice to rescind or reconsider any resolution passed, must be given on the day of the resolution being passed before adjournment, and no resolution passed shall be rescinded or reconsidered when such notice has not been given, and no such notice shall have the effect of delaying or impeding the action necessary to give effect to any resolution, unless the Council shall otherwise order.

## COMMITTEES.

23. Standing Committees shall be appointed as soon after the election in each year as practicable, as follows :—

1st.—Committee on Public Accounts, Finance and Tenders.

2nd.—On Licenses and Police.

3rd.—Public Property, Roads, Streets, and Bridges.

4th.—Water Works and Fire Department.

5th.—Poor.

5th.—Public Health.

## COMMISSIONERS OF SCHOOLS.

The said committees shall each hold a regular meeting once in each month and make a report in writing of all matters appertaining to their several departments at the first meeting of Council in each calendar month, and also at any other time when they shall deem it requisite to do so, or when the Council shall call for a report.

## THE TOWN SEAL.

24. The Seal provided by the Town Council, and now in the custody of the Clerk, shall be the Common Seal of the Town, until the same shall be altered by the Council.

25. Any person requiring the Town Seal to be affixed to any certificate or document for the purpose of authentication or otherwise, shall pay to the Town the following fees :—

|  |        |
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| For affixing the seal to any document to be used out of the Town | \$1.50 |
|--|--------|

|                                     |      |
|-------------------------------------|------|
| If to be used within the town only, | 1.00 |
|-------------------------------------|------|

### THE TOWN CLERK AND TREASURER.

26. The Town Clerk and Treasurer shall be the custodian of all the public books, accounts, contracts, agreements, and documents of the Town (excepting bonds of officers employed by the town which shall be in the custody of the mayor,) and shall at all times have the same arranged and filed in a convenient manner for use and reference.

27. He shall at the beginning of every year enter into a bond with a reliable guarantee company in such sum as may be prescribed by the Council conditioned for the faithful discharge of his duties as Town Clerk and Treasurer for the term of one year.

28. He shall attend at the Town Office for the transaction of public business during such hours as may be appointed by the Council, and such hours shall be posted up in a conspicuous place in the office.

29. He shall, under the direction of the mayor, make out an arranged list of the business matters which it appears requisite to lay before the Council for their consideration. The list shall be termed "the order of the day," a copy of which shall be laid on the table for the inspection of the members, and another placed in the hands of the Mayor or Presiding Councillor.

30. He shall attend all meetings of Council, and take correct minutes of the proceedings and matters considered thereat, which he shall enter in a book to be kept for that purpose.

31. He shall give all notices required to be given by the Towns' Incorporation Act of 1888, or amending Acts, and required to be given by or for the council. He shall also notify all persons interested of any action of the Council upon any matter, and shall, as soon as practicable after each meeting of the Council supply the Chairman of every committee, and the Recorder, with a memorandum of all business referred to such committee, or to the Recorder as the case may be.



32. When acting as Treasurer he shall receive all moneys payable to the Town, and he shall give and take receipts and vouchers for all moneys received and paid by him.

33. He shall pay into bank to the credit of the Town, as received all moneys whatsoever that may come into his hands for and on account of the Town.

34. He shall pay out moneys only on the order of the Council, and payments shall be made only by cheque signed by the Mayor or presiding Councillor and the Treasurer.

35. The bank-book shall be open at all times to the inspection of the Mayor or any Councillor.

36. He shall keep the accounts of the Town in such books, and after such manner as may be prescribed by the finance committee, so as to show conveniently, distinctly and separately the income from all sources and the expenditure for each service. The books shall be neatly kept and promptly written up, so as at all times to show the condition of the several accounts.

37. Invoices or accounts must be furnished for supplies and services of any kind. Such accounts must be approved of by a majority of the committee under whose charge they are contracted before being laid before the Council, and no accounts are to be entered in the account books of the Town until passed by the Council. This regulation shall not apply to salaries of Town officers, or of the pay list of laborers employed by any regular committee of the Council or to interest on bonds or debentures.

#### OFFICERS GENERALLY.

38. Every officer appointed by the Council, shall, within one week of his being notified of his appointment, take and subscribe an oath that he will faithfully perform the duties of his office to the best of his ability, which oath shall be administered by the Mayor or Stipendiary Magistrate or a Councillor.

**POLICE FORCE.**

39. The Council shall as often as occasion may require select a Policeman or Policemen, who shall act as day and night watch of the Town of Wolfville, and in the event of more than one Policeman being appointed, may select one of the number to be Chief of the Police.

40. The Policeman and all Special and extra Constables, shall be under the authority, direction and control of a Committee of Police, to be composed of the Mayor, Stipendiary Magistrate, and three members of the Council, to be appointed by the Council.

41. The Policeman shall be prompt to obey and carry out, all the orders and directions from time to time given, and shall serve processes civil and criminal, and make arrests within the Town, and under the direction of the Committee of Police shall have all the power and authority in all matters criminal, and in case of breach of the peace, and for preserving quiet and good order, which Sheriffs and Constables possess within their jurisdiction, and shall immediately report to the Town Clerk, or some member of the committee of Police, any violation or infraction of the Act of Incorporation, or of any by-law or ordinance of the Town, or any case of breach of the peace, or of quiet and good order, and any criminal matter within the municipality, that shall come to his knowledge.

42. He shall always be neat and clean when on duty, vigilant in the exercise of his functions, strict in the enforcement of all orders and instructions, and courteous in his intercourse with the public.

43. He shall not smoke when on duty, nor enter into conversation with any one except in so far as it may be necessary in the performance of his duty, nor enter any tavern, shop or house, except in the performance of his duty, or when ordered to do so by the Mayor,

Recorder, Police Committee, or a Councillor, nor shall he remain in such tavern, shop, or house longer than is necessary for the discharge of his duty.

44. He shall be on duty at such times and during such hours as the Police Committee may appoint, and shall report himself at the Town Clerk's office daily at such hours as they may require and carry out any orders.

45. He shall enter each day in a book to be kept for the purpose at the office of the Town Clerk:—

- a.* The hours of commencing and leaving duty
- b.* The duties performed during the day.
- c.* Any matter that it may be necessary for the Police Committee to be apprised of, and any complaints that it may be necessary to make.
- d.* Any contraventions of the Act and By-laws of the Town.
- e.* Any suggestions that he may consider of service in the public interests.

46. He shall order the removal of any nuisance on the streets or sidewalks together with any obstructions on the same, and in the case of the neglect or refusal of the proper person to remove the same he shall enter a complaint against the party.

47. He shall not without permission of the Council engage in any business, or in any duty unconnected with his office.

48. He shall be dismissed if found guilty of being intoxicated when on duty, and he shall be liable to be fined, suspended, or dismissed for any violation of these regulations, or any others, or of any orders of the Mayor, Recorder or Police Committee.

49. He shall make himself familiar with the Act of Incorporation, and all the By-laws and Ordinances of

the Town. and shall use all lawful means in his power to enforce the laws and ordinances for the government and the preservation of the peace and good order of the Town.

50. He shall be in attendance at the Municipal and Police Courts at all times when required.

51. The Committee of Police shall cause to be entered in a book any special order or direction in regard to Police matters, which book shall be in the custody of the Town Clerk, and shall at all times be open to the inspection and guidance of the Policeman in the discharge of his duties, which order the Policeman shall be bound at once to obey and carry out

52. The Council shall from time to time fix and appoint the fees, salary and emoluments to be paid the Policeman.

53. The Policeman when detailed to serve civil process and execute writs for the Civil Court, shall, before entering upon that duty, give security in such sums as the Council shall direct, for the due and faithful accounting for, and paying over any money that may be collected by him, or come into his possession or under his control

54. If more than one Policeman shall be employed by the Council, these and all other regulations shall apply, and shall in all respects be conformed to by each of them

#### SPECIAL AND OTHER CONSTABLES.

55. Special and other Constables may be appointed from time to time in the manner and for the purposes provided by the Act

56. Their duties are defined in Section 238 to Section 251 of the Act, and they are required to make themselves familiar therewith.

57. The names of persons appointed Constables other than Special Constables, shall be posted up inside the Town Office, and exhibited in prominent places in the Town within one month of their being appointed and sworn in.

#### **SUPERINTENDENT OF STREETS AND BRIDGES.**

58. The Council may appoint a Superintendent of Streets and Bridges, to hold office until his successor is appointed, or until removed by vote of the Council. The Superintendent shall be sworn before the Mayor, Stipendiary Magistrate, or a Councillor, to the faithful discharge of his duty. He shall give security in such sum as the Council shall order, and shall receive such compensation as the Council shall by resolution fix

59. It shall be the duty of the Superintendent under the direction and control of the Committee of Streets, to attend to the laying out, widening, elevations and repairs of the streets, roads and highways, the sweepage, cleaning and watering of the same, clearing away the snow and other like duties, and the making, repairing and improving of any bridges, drains, sewers, gutters, channels, pavements and sidewalks, and to give notice to the Committee of Streets of any nuisance, obstruction or encroachments thereon.

60. The Superintendent shall keep such accounts of his proceedings, as shall be ordered by the Council or Committee of Streets, and furnish accounts, properly vouched, whenever required to do so by the Committee of Streets.

#### **STREETS, BRIDGES, &c.**

61. The public streets, roads, highways, lanes, sidewalks, bridges, squares and thoroughfares, and all public sewers, drains and ditches, in the Town, and the expenditure thereon and maintenance thereof shall be under the control of the Committee of Streets, to be annually appointed by the Council.

62. The Committee of Streets shall have and exercise within the limits of the Town all the powers and authority conferred by Section 142 to Section 171 inclusive, of the 'Towns' Incorporation Act of 1888 and amendments thereto; and in respect of the Town's proportion of the Provincial Road and Bridge Grants, they shall have and exercise all the powers and authority, conferred upon Supervisors or Commissioners under Chap. 46 Revised Statutes, Fifth Series.

63. The Committee of Streets shall have power to make contracts for the supply of labor and materials for the streets, and for the use of such horses and carts as shall be required for the purpose of the street service.

64. The Committee of Streets shall have power, under direction of the Council at any time, to enter into a private contract with any person or persons, to keep the streets of the Town, or any portion of them, in good order and repair, or to put that service up to public competition.

65. No such contract or letting shall be for a period of over one year, and the contractor, whether by private agreement or public competition, shall give bonds, with good and sufficient securities in such sum as the Council may name, for the faithful performance of the work.

66. The Council may, from time to time in their discretion, pay the contractor such proportionable part of the contract price, as they may deem just and prudent, but no money shall be paid except on a certificate of the amount of work done and that the same has been well and faithfully performed, signed by the Superintendent, and countersigned by the Chairman, or two members of the Committee of Streets.

67. Within such portions of the Town as the Council shall by law ordain, the occupiers, owners, or persons in charge of houses, stores, lots and pieces of land, shall be bound after every fall of snow to clear away the snow from the sidewalks and gutters of their respective premises, within four hours after it shall have ceased falling, (always provided that the same be during day light,) under a penalty of not less than one, or more than five dollars, on such person who neglects or omits so to do, unless excused by the Superintendent of Streets; and when the time of snow ceasing to fall shall be at night, such occupiers, owners or persons in charge shall be

bound under the like penalty to remove the snow so aforesaid within four hours after the beginning of daylight on the following day. Any person convicted of said offence who shall not pay the fine forthwith, may be imprisoned in the jail or lock up for a period not exceeding thirty days.

68. No person shall encumber or obstruct a free passage through any street, road, lane or alley, thoroughfare, sidewalk or part of the Town, by exposing for sale, unpacking or suffering to remain upon any street, road, lane, alley, or thoroughfare, or upon the sidewalk or footpath thereof, any lumber, iron, coal, trunk, bale, crate, package, or other article or thing for more than two hours, or leave any such articles at night on the street, road, lane, thoroughfare, or path or sidewalk after six o'clock, under a penalty of not less than one dollar, nor more than ten dollars or imprisonment in the jail or lock-up for not more than thirty days, and the continuance of any such obstruction for one hour after notice given by the Mayor, or a Councillor or any policeman or constable to remove the same shall be deemed a new offence, and for every hour it is continued he shall be liable to an additional fine.

69. Any persons who shall within the Town designedly and unnecessarily drive any carriage, sleigh, sled, cart, or bicycle, or ride on a side path, or obstruct any sidewalk or leave standing thereon any carriage, cart, sleigh, or sled or horse, or roll or place any heavy articles on the same to the injury or obstruction of the sidewalk, shall for every offence forfeit not less than one dollar nor more than ten dollars and on non-payment thereof shall be imprisoned in the jail or lock-up for a period not exceeding thirty days.

70. No person shall drive or lead along any sidewalk of the Town any horse, cow, calf, ox, or other neat cattle under a penalty not exceeding ten dollars.

71. Persons shall not stand in a group or near to each other on any street, lane, highway or thoroughfare so as to obstruct a free passage for foot passengers, carriages or vehicles under a penalty of not more than ten dollars on each person so offending, and on non-payment thereof to imprisonment in the jail or lock-up for a period not exceeding thirty days, and any person or persons refusing or neglecting, after the request of the Mayor, any Councillor, Policeman, Con-

stable, or Watchman, to remove, and not obstruct such street, lane, highway or thoroughfare, shall be deemed to have committed the above offences, and shall be liable to the penalty.

72. No person or persons shall loiter on or about the steps or entrance of any stores or shops in the Town, or on any street corners in the Town under a penalty of not more than ten dollars on each person so offending and on non-payment thereof to imprisonment in the jail or lock-up for a period not exceeding thirty days, and any person or persons refusing or neglecting after the request of the Mayor, any Councillor, policeman, constable or watchman to remove and not loiter on or about such shop, store, or street corner shall be deemed to have committed the above offence and shall be liable to the penalty.

73. No person shall play ball or throw a ball, stone, or snow-ball or other missile likely to injure any person or property, in or over any street or public place, nor throw any substance against any dwelling house or private or public building, or into any private grounds with the intention to injure the same or disturb the inmates thereof, nor write or cause to be written or portrayed any obscene word or figure, or make any obscene characters upon any fence or building or any public place, under a penalty not exceeding twenty dollars or in default of payment thereof of imprisonment in the jail or lock-up for a period not exceeding thirty days.

74. No person shall course or coast upon a sled in any street, road, lane or thoroughfare, or over any sidewalk of the Town. Every person offending against the provisions of this section shall forfeit and pay a sum not exceeding ten dollars for each offence, and on non-payment thereof shall be imprisoned in the jail or lock-up for a period not exceeding thirty days, and all sleds or sleighs found in use coasting down the hill, or about to be used, shall be seized by any policeman, constable, or watchman, and the same shall be and become forfeited to the Town.

75. No person shall ride or drive any horse, team, or vehicle at full speed, or in a furious, reckless, violent, or disorderly manner, or shall engage in any racing of horses in any public street or highway, or in any public place in the Town, under a penalty on conviction thereof of not more than thirty dollars, or in default of payment imprisonment for a term not

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exceeding thirty days in the county jail. Any person found violating this section may on view be forthwith arrested by any policeman or constable or other Town officer and lodged in the lock-up or jail until brought before the Stipendiary Magistrate.

76. No person shall break up the soil of any street or sidewalk, or alter the level thereof, without making application in writing to the Committee of Streets and obtaining their permission therefor, under a penalty of not exceeding ten dollars for each offence, and on non-payment thereof to imprisonment in the jail for a period not exceeding twenty days.

77. No person shall erect any wood or other awning or projection over any sidewalk without making application in writing to the Committee of Streets and obtaining their permission therefor, subject to such provisos and instructions as they may impose, under a penalty of not exceeding ten dollars for each offence, and on non-payment thereof to imprisonment in jail for a period of not exceeding twenty days.

78. No person shall throw, place or put any filth, dirt, rubbish, ashes, straw, papers, sweepings, or other things on any street, thoroughfare, or lane, or into any public place in the Town, except under the direction of the Superintendent of Streets.

#### SUPERINTENDENT OF WATER WORKS.

79. The Council may appoint a Superintendent of Water Works, to hold office until his successor is appointed or until removed by a vote of the Council. The Superintendent shall be sworn before the Mayor, Stipendiary Magistrate or a Councillor to the faithful discharge of his duty. He shall give security in such sum as the Council shall order, and shall receive such compensation as the Council shall by resolution fix.

80. It shall be the duty of the Superintendent to attend to the laying of all water pipes in the streets and

Under the direction of the Committee of Water Works to make connection with the service required by citizens.

81. Also to keep in good order the reservoir and dam and the service generally.

82. Also to report to the Committee of Water Works monthly, or oftener if necessary, the state or condition of the service and any work required to be done.

83. Also to visit at least once a year each citizen's premises and furnish the Committee with a detailed report of the numbers and kind of service furnished each citizen.

84. Also to report new connections at once to the Town Clerk.

85. Also to inspect the hydrants when ever required so to do by the Committee and report the condition of same.

#### FIRES AND FIREWARDS.

86. The Council shall annually appoint such number of Firewards, not exceeding six, as they shall deem necessary, who shall be sworn to the faithful discharge of their duties, and shall have suitable badges of office assigned and provided for them by the Council, and the Council may make provision for the remuneration of members of fire companies.

87. Upon the break out of a fire the Firewards, taking their badges with them, shall forthwith proceed to the place of the fire, and use their utmost endeavors to extinguish and prevent the spreading of the fire, and to preserve and secure the property of the inhabitants, and any Fireward may command the assistance of the inhabitants, or of any person present thereat, in extinguishing said fire and removing any property out of any building actually on fire or in danger thereof, and may

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appoint guards to secure and take charge of the same, and may command assistance for the pulling down of buildings or for other sources relating thereto, and may prevent persons passing through or across any street, alley, highway, property or premises in the vicinity of a fire either by fencing or roping off the same or otherwise, and due obedience shall be yielded to their commands lawfully made at such fire, and any person disobeying such orders or commands shall for each such offence be fined not more than ten dollars, and in default of payment thereof be imprisoned in the county jail for not more than twenty days

88. No person other than a Fireward, or a person thereto commanded by a Fireward, shall break open or enter any building or tear down any fence unless with the consent of the owner of such building or fence, provided, however, that any Fireward present at a fire may order any building to be broken open or entered or fence torn down, and no person acting within the scope of such order shall be liable to any suit, action or proceeding at law for such acts.

89. Upon the occurrence of a fire in the Town the Firewards present thereat, or a majority of them, may direct any building to be pulled down or blown up or otherwise destroyed, if in their judgment the doing so will tend to prevent the further spreading of the fire, and if the pulling down or destruction of such building shall have the effect of stopping the fire, or the fire shall stop before it comes to the same, the owner of such building shall receive payment therefor out of the funds of the Town, by making application to the Council, who, if satisfied of the justice of the claim, shall make an order for the valuation of the same, whereupon the Council shall appoint an arbitrator, and the owner of the building so destroyed shall appoint an arbitrator. The two arbitrators so appointed shall appoint a third, and if they are unable to agree the Governor-in-Council shall appoint such third arbitrator. The three arbitrators so appointed shall be sworn to make a valuation of the damage sustained by such applicant, and the same found by the award of such arbitrators, or any two of them, shall be a

charge upon the revenues of the town, and shall be included in the next annual assessment, and paid over to the party entitled thereto within three months after the levying of the assessment.

90. All fire companies and protection companies now organized in the town shall be subject to the control of the Town Council, save that the said companies shall have power to make all such rules, regulations and by-laws as may be deemed suitable for the internal economy and government thereof, and the election of their own members and officers, and the Town Council shall have power to organize, dissolve or disband companies, for the extinguishment of fires or preservation and protection of property thereat, and to establish and make rules and regulations for the government of companies so organized, and all such companies, whether voluntary companies or companies organized under the power herein contained, shall during the actual progress of a fire be subject to the exclusive and absolute control of the Firewards, provided that the orders and commands of such Firewards shall be communicated to the company through the principal officer of such company present at the fire. Provided, however, that in the absence at any fire of all the firewards, the captains of fire companies, union protection companies and salvage corps shall, until a Fireward arrives, have all the powers of Firewards.

91. Notwithstanding anything hereinbefore contained, the Council may appoint an engineer for the operating of any fire engine or other machine belonging to the town used for the purpose of extinguishing fires, who shall during the continuance of the fire be subject to the orders and commands of the Firewards.

92. Upon an alarm of fire the firemen shall at once proceed to the place of deposit of the implements used for the purpose of extinguishing fires and bring them to the place where the fire shall have been discovered, and shall then diligently use the same under the direction of the Firewards in such way as may be deemed most useful for extinguishing the fire.

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93. The Captain of the company, or in his absence, the next highest officer, shall have the power of a fireward in commanding assistance in taking the said implements and machinery to or from any fire, and a like penalty shall attach to disobedience of orders, lawfully given as to those of a fireward.

94. The Town Council may appoint as many fire constables as they may deem necessary, who shall be sworn into office, and shall at the time of fires, with suitable badges to be provided for them by the Council, attend at the fire and act under the direction of the firewards in subduing the fire, preserving, securing and protecting property, keeping order, and preventing thefts, and said fire constables at such fires shall have all the power and authority, privileges and immunities of constables or peace officers. Policemen shall perform at fires the same duties, and possess the same powers as are hereby imposed and conferred upon fire constables.

95. The Town Council may on application appoint and license chimney sweepers and may from time to time regulate the fees chargeable for their services, and any chimney sweeper so appointed and licensed who shall refuse to perform his duties, or render his services when called upon so to do by any ratepayer, or shall neglect to do so for an unreasonable time after being so called upon, or who for such services shall charge or accept a fee or reward greater than the sum allowed by such regulations, shall upon summary conviction thereof before the Stipendiary Magistrate forfeit not more than ten dollars, and in default thereof be imprisoned for a term not less than twenty days.

#### HEALTH INSPECTOR.

96. The Council may appoint a Health Inspector.

97. The Health Inspector in matters relating to public health shall have charge of all streets, highways, passages, vessels, wharves, docks, wells, markets, and market places, slaughter houses, common sewers, drains, vaults, privies, and other places, and shall cause all nuisances and filth to be removed therefrom or destroyed, and may open and enter all places where noxious substances dangerous to the public health

may be reasonably suspected to exist, subject nevertheless to the control of the Council.

98. The Health Inspector shall execute and enforce all sanitary orders directed under Chapter 27 Revised Statutes Fifth Series, or by the several chapters relating to infectious diseases and rabid animals.

### POUNDS AND POUND KEEPERS.

99. Suitable Pounds may be erected by the Council in any convenient locality, and the Council shall annually appoint a Keeper for each Pound.

100. Whenever any animal is impounded for the breach of any by-law or ordinance of the Town, the Keeper, in case the owner of such animal is known to him, shall give him notice of such impounding as soon as practicable, and if within two days after said notice, or within five days after the impounding of the animal, where the owner is unknown, the owner of said animal shall not redeem and remove it, and pay the forfeiture incurred, the Mayor shall issue an order for the sale at auction of such animal, and in such case the balance, if any remaining after deducting the forfeiture and expenses of sale, shall be paid to the owner, if applied for within three months from day of sale, and if not so applied for, shall go to the use of the Town.

101. Before any animal impounded for the breach of any by-law, shall be released, the owner thereof or party applying for the release, shall pay the following forfeiture to the Pound Keeper, together with and in addition to fines imposed under any by-law or ordinance of the Town:

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|--|-------|
| For notices when given.....  | \$ 25 |
| For unlocking pound and releasing the animal.....  | 1 00  |
| For providing provender for the animal while in the pound. If a horse, colt, &c., cow or calf, each day..... | 50    |
| If a pig, goat, or goose, each day.....  | 25    |

102. The Council may appoint weighers, measurers, fence viewers, and such other officers as may be necessary for the regulations and inspection of provisions, lumber, fuel, and other merchandise, subject to such scale of fees as may be provided by the Council.

# RELATIVE TO HORSES, &c., GOING AT LARGE IN THE TOWN.

103. Horses, colts, asses, mules, oxen, cows, and other neat cattle, sheep, swine, goats, or geese, ducks, hens, or other domestic fowls, going at large, shall forfeit and pay the following amount for each and every horse, colt, ass, mule, ox, cow, and other neat cattle, sheep, swine or goat the sum of \$4.00 for the first offence and \$8.00 for every subsequent offence, and for every goose, duck, hen, or other domestic fowl, the sum of ten cents for the first offence, and twenty-five cents for every subsequent offence. This fine to be recovered in the Police Court in the name, and for the benefit of the Town of Wolfville, and shall be recoverable whether the animal shall have been impounded or not.

104. The Police Constable or any other person, may impound any horses, asses, mules, oxen, cows and other neat cattle, sheep, swine, goats, or geese, going at large in any street, lane or other place, within the Town of Wolfville.

105. The Stipendiary Magistrate or person presiding at the Police Court, shall on the application of any party, issue a summons or warrant, to bring the party whose animal has been found going at large, before him for trial.

106. If the owner of any animal found going at large and impounded, does not pay on conviction the fine imposed, the Stipendiary Magistrate, or officer presiding, shall order the animal so found going at large, to be sold at public auction, on the day following such conviction, unless the owner shall have previously paid the fine imposed, together with all the expenses consequent on the seizure and keep of the animal, and on the sale, after deducting the fine, the expenses of the seizure and keep of the animal, and the expenses of the sale, the balance shall be paid to the owner.

107. Nothing herein contained shall be construed to restrain or limit the right to impound any horse, colt, ox, cow, pig, goat or goose going at large.

### TRANSIENT MERCHANTS, PEDLARS, &c.

108. No transient merchant, trader, pedlar, or hawker, who is not a ratepayer of the Town, shall sell or offer for sale, in the Town of Wolfville any goods, wares, merchandise, or any other article or thing of whatsoever nature and kind, or carry on, or exercise, or pursue the business or calling of a transient merchant, trader, pedlar, or hawker, without first having obtained from the Committee on Licenses, a license therefor, for which he shall pay a sum not exceeding twenty-five dollars for the first month or part of a month, and for each succeeding month or part of a month that he shall afterward continue in the Town, and carry on the said business, shall pay in addition thereto a sum not exceeding ten dollars per month. The amount to be paid shall be set by the Committee on Licenses, and shall be paid before the license is granted. Provided that nothing herein contained shall apply to the case of any farmer or market gardener selling within the Town the produce of his own farm or garden, or to any fisherman selling any fish of his own catching, or to any one selling wood; provided further that no one not a ratepayer shall sell beef in quantities less than by the quarter or lamb by the carcase. Any person violating this section shall be liable to a fine not exceeding fifty dollars for each offence, and in default of payment may be imprisoned for a period not exceeding two months.

109. No person who is not a ratepayer of the Town shall within the Town ask or solicit any person to subscribe for, take or buy any book, chart, drawing or picture of any kind without first obtaining a license for that purpose, such license to be granted at the discretion of the Committee on Licenses, for which the person applying for the license shall pay to the Town the sum of five dollars.

110. All licenses shall be signed by the Mayor and Town Clerk and sealed with the Seal of the Town.

### DOGS.

111. The owner or owners of dogs within the town, shall pay annually a tax of two dollars for every dog owned by him or them, or kept in his or their possession, such tax to be due



and payable on or before the first day of July in each and every year; and the owner of every dog shall cause a collar to be placed round the neck of said dog, with the owner's name thereon and the number of his registry, and in default of such collar so placed, shall forfeit the sum of one dollar, such tax and penalty to be sued for and recovered in the Municipal Court of the Town.

112. Any person on being convicted before the Stipendiary Magistrate or person presiding in the Police Court, of keeping any dog which may have injured any person by biting, shall be subject to a penalty of not less than one dollar, nor more than ten dollars, and the dog so biting, may be ordered by the Stipendiary Magistrate or person presiding, to be forthwith destroyed by a constable.

113. It shall be the special duty of the Police Constable, at all times, to attend to and enforce these by-laws, and to report any infraction of them to the Stipendiary Magistrate, Mayor or a Councillor.

114. The Council may make regulations in reference to dogs going at large, or congregating within the limits of the town, and impose penalties for the breach of the same; and may order any dog going at large, the owner of which cannot be ascertained, to be destroyed.

### EXHIBITIONS.

115. No theatrical exhibition or public-show, or exhibition or concert, except such local or charitable entertainments as may be specially licensed by the License Committee, shall be offered to view, set up, maintained, carried on or published within the Town, without a license first had therefor, which license may be granted by the Committee on Licenses, on the payment of a fee or sum not less than one dollar, nor more than one hundred dollars per day, the amount to be fixed by the Committee on Licenses, and expressed in said license. Every license shall express the number of days it is to continue in force, and such license may be renewed on terms to be fixed by the Committee on Licenses.

116. All such exhibitions and concerts shall be closed at night by the hour of eleven o'clock. Every person who shall

offer to view, or shall set up, set on foot, maintain or carry on, or shall publish, or otherwise assist in any theatrical exhibition or concert, public show, or exhibition of whatever name or nature, without a license previously obtained, agreeable to this ordinance, shall forfeit and pay to the Town for every offence, a fine not exceeding two hundred dollars, and in default of payment, shall be liable to be imprisoned in the Lock-up or County Jail, for a term not exceeding three months.

117. Any person having charge of such an exhibition or concert, who shall keep the same open at night, beyond the hour herein prescribed, shall forfeit his license, and pay a fine not exceeding ten dollars, and in default of payment, shall be imprisoned in the County Jail or Lock-up of the Town, for a period not exceeding twenty days.

118. The Committee on Licenses may withdraw the license and order the exhibition or concert to be at once closed, if it appears to them that it is immoral, profane or indecent.

119. The License Committee may at their discretion grant a license free of charge.

### DISCHARGING FIRE-ARMS, &c.

120. No person shall knowingly and unnecessarily discharge any fire-arms, spring or air gun, within the Town of Wolfville, except under license, signed by the Mayor or presiding Councillor and Town Clerk, on the recommendation of the License Committee, for which the sum of ten dollars shall be paid, which shall be in force for one year from the date thereof, and may be granted to any individual or to any club, company or number of individuals collectively, and shall be limited to the place defined in such license. The License Committee shall have power to make all such regulations as may be found in their judgment necessary for the public safety, in connection with the privileges enjoyed under any license issued pursuant to this by-law.

121. No person shall in the town set off any fire cracker, squib, torpedoes or other, or any explosive, or set any fire in the streets, sidewalks, highways, squares, or thoroughfares of

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the Town, except with the written permission of the Council under such regulations as it may prescribe from time to time.

### UNUSUAL NOISES, &c.

122. No person shall shout or make any unusual noise calculated to annoy or disturb the inhabitants, in or upon any of the streets, highways, lanes, squares, or thoroughfares of the Town, under a penalty not exceeding five dollars for each offence; and should such shouting or noise occur in the night-time, after eight o'clock, the person offending shall be liable to a penalty not exceeding ten dollars for each offence.

123. Any person who shall, by challenging to fight, or by using insulting or abusive language or behaviour, taunting epithets or threatening gestures, attempt to provoke any other person to commit a breach of the peace within the Town, shall be liable to a penalty not exceeding ten dollars for every such offence.

124. No person shall knock or pound on any door of any house or ring any door bell, for the purpose of annoying the inmates of any house.

125. Any person who shall, on any street, lane, bridge, wharf, thoroughfare, sidewalk or on the premises or in the neighbourhood of any place of worship, use any profane, obscene, lewd or lascivious language, or be guilty of any obscene lewd or lascivious conduct or behaviour, or who, being on any street, lane, bridge, thoroughfare or sidewalk, shall openly challenge anyone to fight, or shall use abusive or provoking language, or shall make any noise or disturbance thereon, or shall obstruct any person or persons in their shops or houses, or proceeding on their lawful business, or who shall appear to be on any street, lane, sidewalk or any other public place in a drunken or intoxicated state, may, on view of the offence, be forthwith arrested and taken into custody, by day or by night, by any Constable, Policeman, Watchman or by any person under a verbal warrant from the Mayor, Stipendiary Magistrate, or any Councillor, and taken to the lock-up and there detained until brought before the Stipendiary Magistrate, or the person presiding at the Police Court, and shall be subject

to a fine of not less than one dollar, nor more than ten dollars, and in default of payment shall be imprisoned for a term not exceeding thirty days.

126. No person shall on any public street or lane beat any drum, or blow any horn or trumpet or clang any cymbal or triangle, or play any musical instrument, or shout or sing, after having been required by an householder resident in such street or town, or any Police Constable, to desist from making such sounds or noise, either on account of illness of any inmate of such house or for any other reasonable cause.

### SMOKING ON STREETS, &c.

127. No person under the age of sixteen years shall be permitted to smoke tobacco in any form in the public streets of the Town, and any minor offending against this by-law shall be liable to a fine not exceeding two dollars, and in default of payment to imprisonment for not more than thirty days.

128. No person shall make, publish, paste up or exhibit any indecent or immoral placard, picture, drawing, writing, or painting in or near any street, lane, highway, bridge, or any other public place in the town.

### SLAUGHTERING OF ANIMALS.

129. No person or persons or corporate body shall erect, maintain, continue, use or employ any slaughter house or building or any yard or other place or premises for the purpose of killing or slaughtering animals therein within the limits of the Town, without written permission first had from the Town Council, which permission when given shall indicate the place where such slaughter house, building, yard, place or premises shall be located.

130. There shall be no accumulation of manure or filth of any description in or about any slaughter house or yards, or other places connected therewith within the limits of the Town, but all such slaughter houses, yards and places within said Town shall at all times be kept clean by the respective owners or occupiers thereof.

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131. There shall be no accumulation of filth of any description in or about any butcher shop within the Town, but all such butcher shops, and the yards connected therewith, shall at all times be kept clean by the respective owners or occupiers thereof.

132. No person shall keep any pig at any place in the Town, without permission from the Town Council, and then only at such place as shall be designated by the Council.

133. It shall be the duty of the sanitary inspector to report any violation of sections 129-132 inclusive to the Board of Health.

134. Any person, or persons, or body corporate, guilty of an infraction of any of the provisions of sections 129-132 inclusive, shall upon conviction before the Stipendiary Magistrate, forfeit and pay at the discretion of the said Magistrate a penalty not exceeding the sum of Thirty Dollars for each offence, exclusive of costs, and in default of payment thereof, it shall and may be lawful for the said Stipendiary Magistrate to commit the offender or offenders to the County Jail or lock-up in the Town for a period of thirty days unless the said penalty and costs be sooner paid.

### LOCK-UP.

135. The Council may provide a suitable Lock-up.

136. Any person or persons charged on oath with having committed any criminal offence, and whom it shall be lawful and necessary to detain in order that such person or persons may be examined previous to commitment to jail, to trial or dismissal, shall be confined in the Lock-up or place provided for that purpose, and all persons convicted by the Police Court of the town for violation of any by-law or ordinance of the Town shall be sentenced to confinement in the Lock-up or County Jail.

137. All persons found in the streets or public places of the Town in a state of intoxication; all persons found injuring, defacing, or destroying any bridge, tree or other property in the Town, and whom it is lawful to arrest on view, and generally all persons convicted on view of the Mayor, Stipen-

diary Magistrate, any Councillor, the Police, special or extra Constable, or on the oath of one or more credible witnesses, shall be detained and confined in the Lock-up.

138. The Council shall appoint a suitable person to be the Keeper thereof, who shall receive such compensation for the keeping of said Lock-up and for the maintenance of prisoners and other persons lodged therein, as the Council shall from time to time fix.

139. Prisoners arrested by the Police or Constables for the breach of any law or by-law of the Town, may be lodged in the Lock-up and detained there until brought before the Stipendiary Magistrate.

140. It shall be the duty of the keeper to see that the whole interior of the Lock-up is constantly clean and well ventilated, and he shall, under the supervision of the Police Committee, do such things as shall be necessary to keep it clean and in good order.

141. No person lodged in the Lock-up shall be discharged therefrom without first being brought before the Stipendiary Magistrate, unless discharged by order of the Stipendiary Magistrate, or person acting in his stead.

### **TRUCKMEN'S LICENSES.**

142. The Council may grant licenses to truckmen under such regulations as the Council may prescribe.

### **AUCTIONEERS' LICENSE.**

143. No person shall within the Town of Wolfville exercise the office of Auctioneer, or sell at public vendue, any real estate, goods or chattels whatever, without being licensed thereto by the Council, which license may be granted on application to the Committee of Licenses and shall be signed by the Mayor and Town Clerk.

144. The fee for such license shall be five dollars, but may be from time to time altered by the Council and shall be paid

at the time of application therefor, and if any person, without such license, shall sell any real estate, goods or chattels at public auction, he shall forfeit and pay a sum not exceeding ten dollars for each offence to be sued for and recovered in the name of the Town of Wolfville and for the use of the Town. Nothing herein contained shall extend to Sheriffs, or officers of Justice, selling under process of law or by direction of any Court.

### AMENDMENT.

145. No repeal, alteration or amendment of any by-law adopted by the Council shall be made unless two weeks' notice in writing shall have first been given to the Council, by the Mayor, or any Councillor, of such intended repeal, alteration, or amendment.

146. Any by-law, regulation or ordinance may be suspended, wholly or in part, by the unanimous consent of all members of the Council present.

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I, WALTER BROWN, Town Clerk in and for the Town of Wolfville, do hereby certify that the foregoing are the by-laws passed by the Town Council of the Town of Wolfville.

WALTER BROWN,  
*Town Clerk.*

Town Clerk's Office,  
9th day of August, A. D. 1893. }

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Approved by the Governor-in-Council, on the 2nd day of September, 1893.

H. CROSSKILL,  
*Clerk of Executive Council.*